



# STATE OF IOWA

TERRY BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF EDUCATION  
RYAN M. WISE, DIRECTOR

## Response to DE Employee Request for Consent to Sell

**Employee Name and Job Title:** Kathy Bertsch, Education Program Consultant

**Division, Bureau:** Division of Learning and Results, Learner Strategies and Supports

**Date of Request:** 3/13/17

**Date of Agency Determination:** 3/15/17

**Determination<sup>1</sup>:** Consent granted without condition

### Summary of Request and Rationale for Determination:

Kathy Bertsch seeks permission to participate on an unpaid advisory board for a graduate program in school psychology for University of Northern Iowa (UNI) during the fall of 2017. This work will occur during off work time or Mrs. Bertsch will take vacation.

The Iowa Department of Education (IDE) has oversight over teacher preparation programs offered at UNI however Mrs. Bertsch has no oversight over those programs. Mrs. Bertsch is responsible for technical assistance to AEA and LEA's in school psychology. She does not work with UNI as part of her job assignment with the IDE.

Therefore, the sale of the service of participating in an unpaid advisory board for UNI will not cause Kathy Bertsch to advocate on behalf of any entity, does not benefit or prejudice any regulated person or entity, and does not result in a conflict of interest per section 68B.2A.

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<sup>1</sup> If the determination is a denial or a conditional consent, the employee may file an appeal with the Iowa Ethics and Campaign Disclosure Board pursuant to rule 351—IAC 6.11(6).

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## DE Employee Request for Consent to Sell (See second page for Instructions)

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Employee Name Kathy Bertsch Date 3/13/17

Job Title at DE Education Program Consultant

Division, Bureau at DE Division of Learning & Results, Learner Strategies & Supports

Immediate Supervisor at DE Bradly Niebling

Proposed outside employer University of Northern Iowa – School Psychology Program

Proposed services to sell to outside employer:

Kathy Bertsch would participate on an advisory board in an unsalaried position for the graduate program in school psychology for 1/2 day per fall semester. As an advisory board member she would provide feedback to the program toward their goals for improving student recruitment, admissions, and methods of placement of students with school psychology supervisors, which are primarily located in Iowa AEAs.

(E.g., if teaching classes, which classes, graduate or undergraduate level)


How will selling this service not conflict with your DE duties?

Kathy Bertsch's work at the Iowa Department of Education (IDE) is focused on school improvement efforts for students with disabilities. That is, she provides guidance and technical assistance for AEAs and LEAs in how they evaluate and provide programming for children with disabilities.

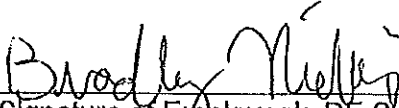
UNI's school psychology program is within the College of Education at UNI. The IDE supports NCATE (National Council for Accreditation of Teacher Education) accreditation for teacher preparation programs, however, Kathy Bertsch is not an IDE team member for NCATE accreditation. Additionally, the BOEE provides licensure for school psychologists, such as those being trained at UNI. The BOEE includes an IDE Director designee. Kathy Bertsch is not the Director's designee to the BOEE.

While Kathy Bertsch provides guidance to schools and AEAs, which include school psychologists, Kathy Bertsch has no duties at the IDE that place her in a position of authority over the UNI school psychology program.

☒ I certify that I have the permission of my DE supervisor, above named, to make this request of the Department of Education.

  
Signature of Employee

OK  
 3/14/17

  
Signature of Employee's DE Supervisor

**Instructions:**

The DE is a regulatory agency, as so defined in Iowa Code chapter 68B. This is the chapter of laws regarding ethical conduct of state agencies and state employees. As DE employees, we are prohibited from selling any goods or services (such as the service of teaching a class) to any person or entity that the DE regulates (such as, but not limited to, LEAs, AEAs, Community Colleges, and IHEs that offer practitioner preparation programs) without the prior written consent of the DE.

This is the form to be filled out by the DE employee who seeks such permission. In the space for explaining how selling the proposed service will not conflict with your DE duties, DO NOT state that this is "after hours." This form assumes that the DE employee is not performing the outside work during DE hours. The purpose of the law is to assure the public that no regulated entity is either benefitting or hurt by hiring a DE employee to perform some service for the entity. So, please explain how your DE duties relate to the proposed outside employer. Examples are on the Ethics Board's Web site at <http://www.iowa.gov/ethics/ethics/consents/education/education.htm>.